

Council Meeting

**Minutes of the Council Meeting held on Tuesday 19th November 2013
At 11.00am at the CML Offices, London**

Present:

Ms A Bradley	Chair
Ms J Smith	
Mr A Clark	
Mr G Kidd	
Mr P Rowley	
Mr S Faraway	Interim Director of Finance
Mr S Ward	Interim Director of Communications
Mr S Blandy	Director of Policy and Standards
Mr W Pearson	Director of Operations
Ms P Sparrowhawk	Executive Assistant
Ms V Swan	Policy Advisor
Ms C Richardson	Education Project Manager

Item

1. Apologies for Absence

There were apologies for absence from Mr R Gurney and Ms S Kumar.

2. Minutes of the Workshop Meeting held on 10th October

The Council approved the minutes of the meeting on 10th October as being a true record.

3. Matters Arising including record of decisions made outside Council meetings

Internal Auditors

Following the vacation of the recent incumbent TIAA as internal auditor, an overview of a presentation carried out on 15th November 2014 by Baker Tilly to an Audit Panel at CLC offices was given to Council by the Chair of the Audit Committee. If appointed, Baker Tilly would present an audit plan at the January 2014 Internal Audit meeting.

Assurance had been given by internal auditors TIAA that they would provide their final audit report in time for the January 2014 changeover.

Council agreed:

Baker Tilly is to be appointed as internal auditors to the CLC.

Action:

1. *References on Baker Tilly would be obtained*

2. *The Risk register to be updated*
3. *TIAA to provide completed internal audit reports in time for January 2013 Audit Committee Meeting.*

4. Declarations of Interest

There were no declarations of interest.

5. Performance Appraisal Policy and Procedure (not an Agenda item)

The SMT and staff of CLC were recused from the session.

Summary

At a meeting on the 13th November the Remuneration Committee discussed and reviewed a new performance appraisal policy and procedure that would be linked to a non-consolidated bonus, for implementation in 2014 for all staff.

The new policy and procedure is recommended by the Remuneration Committee to the Council for their agreement.

The following points were made:

- (i) **Staff Survey**
During the design process an anonymous staff survey was undertaken to find out what staff thought of the current appraisal system and what motivated them in their job. The results of this survey have been considered when designing the new performance appraisal scheme.
- (ii) **Training**
SMT and Staff training would be carried out on 2nd and 13th of December by an external training organisation to roll-out the appraisal system.
- (iii) **New Appraisal System Pilot**
The new appraisal system would commence in January 2014 and be piloted for one year. During this period a non-consolidated bonus would be identified for introduction in 2015.
- (iv) **HR Resources**
It was noted that professional external HR input was available to assist with the roll out and implementation of the new system. Sarah Cottis was identified as providing internal HR and it was agreed that any support or additional training required to support this role would be investigated by the Remuneration Committee to manage the new structure in terms of HR.

Agreed Actions:

1. *The Council is requested to review and send comments on the new performance appraisal policy and procedure in Annex A by 25th November 2013.*
2. *On behalf of Council, the Remuneration Committee would approve the system in time for the training modules to commence on 2nd December 2013.*

3. *Remuneration Committee would monitor and ensure that any current or ongoing HR support or training was provided.*
4. *Regular reports would be provided to Remuneration Committee to assist with benchmarking and progress during the pilot phase.*
5. *A name change of the system would be considered later to reflect that it was a personal development system for staff.*

SMT and CLC staff returned to the Council Meeting

6. Publication Policy

Summary

The paper set out a recommended publication policy for the CLC. It was based on a steering discussion at the Council workshop in October 2013.

Recommendation

Council was asked to comment on the draft publication policy and approve it, with amendments if necessary.

Council noted and discussed the paper and the following points arose:

- The need to set a clear timetable for implementation
- The publication of sensitive information about license holders and the need for consultation with stakeholders (table reference I).
- The circumstances of publication of adjudications. (Table references F. and H.)

Agreed Actions:

- *Paper to be resubmitted with sharper clarity on items I. F and H.*
- *A timetable for implementation of the elements of the policy to be set out.*
- *The Publication Policy will be published, dated and reviewed within 2 years.*

7. The CLC's Strategy Position

Summary

The paper updated Council on some developments that may impact on the CLC's strategy and that should be taken into account in business planning. Appendix A articulated the Council's strategy for publication.

Recommendations

Council is asked to:

1. Review the new developments set out in the paper and consider whether the CLC's strategy is still appropriate or needs amendment.
2. Review the record of issues taken into account in the Council's strategy discussions and ensure they reflect past conversations.
3. Review the draft text for publication at Appendix A and suggest any other issues it should address.

Council noted and discussed the paper and the following points arose:

- The strategic issues would be kept on the horizon for discussion at each Council meeting.
- Intelligence on strategic issues would be pooled and channeled into regular discussions.
- The text within Annex A did not substantially pick up the vision or business in which we are in.

Agreed Action:

Paper to be reviewed and re-submitted to Council

8. LSB Blueprint for Regulation

Summary

The paper seeks to provide an overview of the LSB's response to the MoJ's Review of Regulation and the impact this might have on the CLC should the MoJ take forward the LSB's suggestions.

The LSB's response includes announcement of a Lay Chair consultation. This is now live. The second part of the paper seeks to inform the CLC's response to this consultation.

Recommendations

The Council was asked to note and consider the direction of travel and the implications this might have.

Council noted and discussed the paper and the following points arose:

- The term 'lay chair' was agreed to be the wrong term and 'independent chair' was a more appropriate description.
- The appointment of the independents should first be guided by the needs of the CLC and then defined as the right person for the job, regardless of any legal experience. This would allow a wider definition.
- As we already have an 'independent chair' should our policy be changed to reflect this?
- In terms of AAR's, should the same rules apply? Did we know enough about other organisations' needs to form an opinion?

Council recommended and agreed the following:

- CLC should have an 'independent' as opposed to a 'lay' chair (and suggest a definition of 'independent' in this context)
- This may be an approach which the LSB may wish to consider.

Agreed Action:

CLC to draft a response to the LSB incorporating above recommendations.

9. Developing the Licensed Conveyancer Qualification – Update

Summary

The paper provides an update to implement the Council's decision to review the content and structure of the CLC qualification and move to an accredited model of provision of education.

Council noted and discussed the paper and the following points arose:

- Concerns were expressed about our financial exposure as a regulator to costs which are marginal to our core business. The apprenticeship scheme might help CLC with the future of our educational standards, but the scheme would need to be employer led.
- There was some synergy between apprenticeships and long distance learning.
- The requirements for Ofqual accreditation were complex, time consuming and extensive.

Council Recommendations

1. In light of the exploration of the requirements and benefits of Ofqual accreditation, we will not seek accreditation at this time.
2. In terms of apprenticeships, we should establish whether employers are interested in developing such a scheme.

Agreed Actions:

1. *To find out if there is an employer appetite for an apprenticeship scheme. (Mr J Jones and Mr A Clark offered their assistance to Ms Richardson).*
2. *Recommendations to be presented to Council at 12th December meeting.*

10. Progress against Business Plan

Summary

The paper sets out key progress since the last report to Council in September. It is now structured according to the three key themes of the high-level business plan.

Recommendations

Council is asked to note this progress report.

Council noted and discussed the paper and the following points arose:

CRM

- All processes were being documented by the Project Manager to ensure they are logical, well defined and interact with the finance system.
- Ranmor have confirmed they can build the system
- Website supplier has been appointed to build new website
- Costing has not changed since last update

Agreed action

The Operational plan for 2014 paper drafted for the 12th December Council meeting.

11. Council Members ' Skills and Appointments

Summary

The Council is currently made up of seven members: - three licensed conveyancers, three lay members and a lay chair.

Following the initial discussion by Council at the workshop on 11th June it was agreed that the new strategy of the Council may require a review of the skills required on Council.

At its meeting on 13 November the Remuneration Committee reviewed, discussed and amended the proposal below.

Recommendations

The Council is asked to discuss the proposed actions for reviewing the skill requirements for Council and how to address any shortfalls.

The Council was asked to decide the following questions:

- How many members should sit on the Council?
- How many independent and how many LC members should there be?
- Who should sit on the nominations committee?
- What skills should be included in the skills matrix review?
- Should any recruitment campaign be run in house or through an external agency?

Council noted and discussed the paper and the following points arose:

- The interpretation of "lay majority of one" was debatable within the rules and the issue of the risk of being challenged in future.
- Recruitment of Council should be more about skills than rules.

Agreed Actions:

- 1. The Chair would take the lead to explore the above issues with various parties and return to Council at the December 2013 Council meeting for sign off.*
- 2. The Nominations Committee would also be appointed at December Council meeting*
- 3. The skills matrix would be updated at the next meeting, including the addition of soft skills.*
- 4. External Recruitment quotes to be obtained.*

12. AOB

None were requested.

Mr S Faraway agreed to email the latest financial statements to Council.

Meeting ended 14.45